

## Drummond & Squillace, PLLC

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April 21, 2023

**Via ECF**

The Honorable Magistrate Judge Andrew E. Krause  
Southern District of New York  
Charles L. Brieant United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601

Re: **Nadine McKenzie et. al. v. David Hardy et. al**  
Docket No.: 18-CV- 00603 (VB)

Dear Honorable Judge Krause,

We trust all is well with Your Honor.

As this Honorable Court is aware, the law firm of Drummond & Squillace, PLLC represents the Plaintiff Nadine McKenzie in the above captioned matter which is currently scheduled for Inquest as to Damages before Your Honor on April 25, 2023. The undersigned writes the within on behalf of Plaintiff Nadine McKenzie respectfully requesting an adjournment of the April 25, 2023 Damages Inquest. That no prior application for the relief requested herein has been made.

That the undersigned's office/Firm has just come to learn that Plaintiff Nadine McKenzie's Eighty-Seven-year-old (87) relative who lives in Florida just underwent yesterday, on April 20, 2023, major surgery related to cancer for which she requires post operative physical assistance once released from the Hospital to her home for which Plaintiff Nadine McKenzie must travel to Florida to provide same to her elderly relative. We have also come to learn that Ms. McKenzie's 87 year-old relative is currently hospitalized, after major surgery on April 20, 2023, at Aventura Hospital & Medical Center located at 20900 Biscayne Blvd., Aventura, Florida 33180 and she will ultimately be discharged to her home located at 8525 NW 30<sup>th</sup> Road, Miami, Florida 33247 where Plaintiff Nadine McKenzie is needed to physically assist and take care of her elderly relative post operative at her home. It is our Firm's understanding that Ms. McKenzie's 87 year-old relative does not have anyone else to help physically take care of her once she is discharged home after this major cancer-related surgery. This necessary travel for Plaintiff Nadine McKenzie will take Ms. McKenzie out of state and in the State of Florida before, on and after the currently scheduled April 25, 2023 Inquest.

Based upon the foregoing, Plaintiff Nadine McKenzie respectfully requests that the Inquest currently scheduled for April 25, 2023 be adjourned and further requests that an adjourned date for said Inquest be selected after Ms. McKenzie has returned from assisting her elderly relative at

which time the undersigned's office will provide/file a status letter advising of Ms. McKenzie's return to New York and in which the undersigned will provide available adjourn dates for said Inquest subject to this Honorable Court's availability.

Again, no prior application for the relief requested herein has been made.

We thank Your Honor for Your Honor's continued time, attention and consideration herein.

Respectfully submitted,

/s/ JoAnn Squillace  
JoAnn Squillace, Esq.

Plaintiffs' counsel is directed to submit a status report regarding the timing for a rescheduled inquest hearing by no later than May 16, 2023. If Ms. McKenzie has not returned from Florida by that date, then counsel should, by no later than May 16, 2023, provide a best estimate of when Ms. McKenzie is expected to return.

Plaintiffs are directed to serve a copy of this memo endorsed order on the defaulting Defendants and file proof of service on the docket.

Dated: April 21, 2023

**SO ORDERED.**



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ANDREW E. KRAUSE  
United States Magistrate Judge